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10 Attorneys for Plaintiff
FACEBOOK, INC.

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION
15

16 FACEBOOK, INC.,

17 Plaintiff,

18 v.

19 ADAM GUERBUEZ; ATLANTIS BLUE
20 CAPITAL; AND DOES 1-25,

21 Defendants.
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Case No. C08 03889 JF HRL

**MISCELLANEOUS ADMINISTRATIVE
REQUEST FOR DETERMINATION OF
ENFORCEABILITY AND NON-
APPEALABILITY;
[PROPOSED] ORDER**

Date:

Time:

Location: Courtroom 3, 5th Floor

Judge: Hon. Jeremy Fogel

1 Pursuant to Civil Local Rules 7-1 and 7-11, Plaintiff Facebook, Inc. respectfully moves
2 for an order from this Court stating that the November 21, 2008 Default Judgment against
3 defendants Adam Guerbuez and Atlantis Blue Capital is now enforceable in California and is no
4 longer subject to appeal or other review in United States Federal Court.

5 Whereas, some foreign jurisdictions require a certificate from an official in the issuing
6 jurisdiction to establish that the judgment can no longer be appealed or reviewed there and that it
7 is final and enforceable there;

8 Whereas, a federal court judgment requires a ten day stay after entry by the court clerk
9 before it can be enforced (see Fed. R. Civ. P. 62(a));

10 Whereas, a notice of appeal of a final judgment must be filed within 30 days after the
11 judgment or order appealed from is entered (see Fed. R. App. P. 4(a));

12 Whereas, this Court issued a Default Judgment against defendants Adam Guerbuez and
13 Atlantis Blue Capital on November 21, 2008;

14 Whereas, on December 9, 2008, this Court issued a Final Judgment; and


15 Whereas, no notice of appeal has been filed;

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17 IT IS HEREBY ORDERED:

18 The November 21, 2008 Default Judgment against defendants Adam Guerbuez and
19 Atlantis Blue Capital is now enforceable in California and is no longer subject to appeal or other
20 review in United States Federal Court.

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22 IT IS SO ORDERED.

23 Dated: 4/16/09, 2009

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Honorable Jeremy Fogel
United States District Judge
Northern District of California

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2 Dated: April 10, 2009

I. NEEL CHATTERJEE
THOMAS J. GRAY
P. WAYNE HALE
Orrick, Herrington & Sutcliffe LLP

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6 /s/ Thomas J. Gray

7 Thomas J. Gray
8 Attorneys for Plaintiff
9 FACEBOOK, INC.
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CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on April 10, 2009.

Dated: April 10, 2009.

Respectfully submitted,

/s/ Thomas J. Gray

Thomas J. Gray